

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,
Plaintiff,

v.

ROBERT E. BROWN,
Defendant.

No. CR-96-096-FVS

ORDER DENYING MOTIONS

THIS MATTER comes before the Court based upon four motions filed by the defendant.

BACKGROUND

Judgment was entered on February 19, 1997. Mr. Brown's direct appeal was denied on May 22, 1998. He is serving a 292-month term of imprisonment. He has mounted at least three collateral attacks. These were denied by orders entered on February 18, 1999, March 31, 2000, and July 6, 2007. In its July 6th order, the Court ruled that Mr. Brown must obtain leave from the Ninth Circuit before he mounts another collateral attack. 28 U.S.C. §§ 2244, 2255. See *Gonzalez v. Crosby*, 545 U.S. 524, 125 S.Ct. 2641, 2649, 162 L.Ed.2d 480 (2005) ("[A] Rule 60(b) motion that seeks to revisit the federal court's denial on the merits of a claim for relief should be treated as a successive habeas petition."). Since July 6th, Mr. Brown has filed four motions that are, in essence, motions for reconsideration.

RULING

All four of the defendant's motions are denied. As the Court explained in its July 6th order, the Court lacks jurisdiction to entertain Mr. Brown's collateral attacks. He must obtain leave from the Ninth Circuit.

IT IS HEREBY ORDERED:

1. The defendant's "Motion for Consideration of a Non-Guideline Sentence" (**Ct. Rec. 109**) is denied.

2. The defendant's "Motion for Reconsideration of a New Non-Guideline Sentence" (**Ct. Rec. 110**) is denied.

3. The defendant's "Motion for Reconsideration of a New Non-Guideline Sentence" (**Ct. Rec. 113**) is denied.

4. The defendant's "Motion Under 18 U.S.C. § 3582(c)" (**Ct. Rec. 117**) is denied.

5. The defendant shall not file any more motions in the United States District Court for the Eastern District of Washington without the express approval of the Ninth Circuit.

IT IS SO ORDERED. The District Court Executive is hereby directed to enter this order and furnish copies to the defendant and to counsel for the government.

DATED this 16th day of October, 2007.

s/ Fred Van Sickle
Fred Van Sickle
United States District Judge